

Application No. 10/074,673
Paper Dated October 3, 2003
In Reply to USPTO Correspondence of July 3, 2003
Attorney Docket No. 3818-011197

REMARKS

Claims 1-17 are pending in this application.

35 U.S.C. §102 Rejections

Claims 1-5, 7, and 9-12 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 2,473,086 to Montero. In view of the following remarks, the Applicants respectfully request reconsideration of these rejections.

The present invention, according to independent claim 1, is directed to a holder for a clothing article. A base has a first surface and a second surface. A hanger has a first portion and a second portion. The first portion has a first end and a second end. The second portion defines a loop. The first end of the first portion of the hanger is connected to the base. The loop supports the clothing article, but does not compress the clothing article.

The present invention, according to independent claim 11, is directed to a method of holding a clothing article. A planar surface having a leading edge is provided. A holder is also provided. The holder includes a base and a hanger connected to the base. The hanger has a first portion and a second portion. The second portion defines a loop. The base is positioned on the planar surface adjacent to the leading edge of the planar surface. When the base is positioned, the second portion of the hanger is positioned substantially parallel to the leading edge of the planar surface, the loop extends away from the base, and the planar surface is positioned between the base and the loop. The clothing article is inserted in the loop, such that the loop supports the clothing article, but does not compress it.

The Montero patent shows a support plate and a post, with the post carrying a support hook 11. The support hook can pivot about a pivot joint and can collapse when not being used. The support hook terminates in a hook element 18. The Examiner equated the hook element to the loop defined in the present invention.

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The hook element of the Montero patent turns for no more than a quarter of a circle. In contrast, the loop of the present invention turns for at least half of a circle. The hook element of the Montero patent would be better equated to an arm, than a loop. The advantages of a loop over an arm is that the loop better (for example, more securely) holds a scarf, purse, etc.

For the foregoing reasons, the Applicants believe that the subject matter of independent claims 1 and 11 is not anticipated by the Montero patent. Reconsideration of the rejections of claims 1 and 11 is respectfully requested.

Claims 2-5, 7, 9-10, and 12 depend from and add further limitations to independent claim 1 or 11 or a subsequent dependent claim and are believed to be patentable for the reasons discussed hereinabove in connection with independent claims 1 and 11. Reconsideration of the rejections of claims 2-5, 7, 9-10, and 12 is respectfully requested.

35 U.S.C. §103 Rejections

Claims 6 and 13-17 stand rejected under 35 U.S.C. § 103(a) for obviousness by the Montero patent in view of U.S. Design Patent No. D447,936 S to Kacines. In view of the following remarks, the Applicants respectfully request reconsideration of these rejections.

Independent claims 1 and 11 were discussed above. According to independent claim 13, the present invention is directed to a holder for a clothing article. The holder includes a base having a first surface, a second surface, and an outer edge. A hanger has a first portion and a substantially closed O-shaped second portion. The first portion has a first end pivotally connected to the base. When the clothing article is positioned in the substantially closed O-shaped loop, the substantially closed O-shaped loop supports the clothing article, but does not compress the clothing article.

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The Montero patent was discussed above. The Kacines patent is directed to an ornamental design for a clip for securing articles to edges of household surfaces. This type of clip appears to be used to secure tablecloths to tables, etc. The clip shows a generally curved member having a loop at an underneath side. Assumably, the loop is used to ease installation and removal of the clip from the household surface. The loop does not appear to be utilized as a support for a clothing article.

The loop of the present invention, according to claims 6 and 13, is a substantially closed O-shaped loop. Additionally, the loop supports the clothing article without compressing it. The Montero patent clearly does not teach or suggest a closed O-shaped loop. Furthermore, the Kacines patent does not teach or suggest that the loop portion of the clip would support a clothing article or support it without compressing it.

For the foregoing reasons, the Applicants believe that the subject matter of independent claims 1 and 13 is not rendered obvious by the Montero patent in view of the Kacines patent. Reconsideration of the rejection of claim 13 is respectfully requested.

Claims 6 and 14-17 depend from and add further limitations to independent claim 1 or 13 or a subsequent dependent claim and are believed to be patentable for the reasons discussed hereinabove in connection with independent claims 1 and 13. Reconsideration of the rejections of claims 6 and 14-17 is respectfully requested.

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CONCLUSION

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 1-17 is respectfully requested.

Respectfully submitted,

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